

REMARKS

Claims 24-27, 29-31, 40, 41 and 46 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi (US 6,036,299) in view of Shimazu (US 6,409,317). Claims 28, 32 and 33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Shimazu and Raman (US 4,730,197). Claims 44 and 45 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Shimazu and Barrett (US 5,682,191). Claims 42, 43, 47 and 48 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Shimazu and Nakahara (US 6,042,218). Claims 34-39, 49 and 50 have been indicated as containing allowable subject matter. The Applicants would like to express their gratitude for this indication of allowable subject matter.

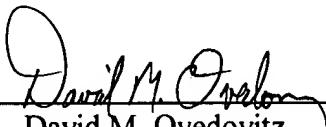
In all of the above-mentioned rejections, the Examiner has relied on the disclosure of Shimazu (US 6,409,317). Shimazu was filed on August 18, 1999 and issued on June 25, 2002. Therefore, Shimazu is a reference under 35 U. S. C. §102(e). The present application has claimed priority from Japanese Patent Application No. 10-322012 filed on November 12, 1998, which is prior to the filing date of Shimazu. Enclosed herewith is a translation of Japanese Patent Application No. 10-322012, along with a statement verifying that the translation is accurate, which provides support for at least claims 24-28, 30-36 and 40- 48. Further, with regard to claim 29, the priority document does not explicitly disclose the term "momentum". However, the priority document does disclose in claim 5 a generated minute ink particle that has an ink speed and an ink weight enough not to float even by disturbing environment. As one of ordinary skill in the art would understand, momentum is defined as the product of mass and velocity. Since the priority document discloses speed (velocity) and weight (weight is the product of mass and gravity), momentum is implicitly supported by the priority document. As a result, it is apparent that claims 24-36 and 40-48 are supported by the priority document. Therefore, Shimazu is not prior art that can be used against claims 24-36 and 40-48 and the rejections under 35 U.S.C. 103(a) citing Shimazu are respectfully requested to be withdrawn.

In view of the above amendments, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

Kazuhiko HARA et al.

By:


David M. Ovedovitz

Registration No. 45,336
Attorney for Applicants

DMO/jmj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 23, 2002